

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2008-051302

09/19/2011

HONORABLE GERALD PORTER

CLERK OF THE COURT

C. Kelly

Deputy

IN RE THE MATTER OF  
MATTHEW J WEISSNER

MATTHEW J WEISSNER  
UP

AND

TASHA J WEISSNER

TASHA J WEISSNER  
10423 W TRUMBULL RD  
TOLLESON AZ 85353

FAMILY COURT SERVICES-CCC  
FAMILY SERVICE AGENCY

MINUTE ENTRY

Courtroom NE-110

1:44 p.m. This is the time set for Trial/Evidentiary Hearing Re: Mother's Petition to Modify Child Custody/Parenting Time/Child Support filed March 14, 2011. Petitioner is present on his own behalf. Respondent is present on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Status of the case is discussed. Father has agreed to supervised visitation between Mother and the parties' minor child, Mycah; pending further examination in this case after consultation with a child welfare specialist.

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IT IS ORDERED appointing a Court-Appointed Advisor in this case in accordance with Rule 10, Arizona Rules of Family Law Procedure. A Court-Appointed Advisor is specifically authorized to testify or submit a report setting forth the advisor's recommendations regarding the best interests of the child and the bases for the advisor's recommendations. A separate minute entry will issue regarding the appointment of the advisor.

IT IS FURTHER ORDERED that there be no food involved during the exchanges of the child.

On a temporary basis,

IT IS FURTHER ORDERED that Mother's parenting time shall be supervised visitation with the Family Service Agency (602-264-9891) up to four (4) hours per week pending a review from the Court Appointed Advisor.

IT IS FURTHER ORDERED affirming prior orders regarding payment of the visitations and establishment of the times.

IT IS FURTHER ORDERED that there be no cancellations of the supervised parenting times/dates. Nothing will take precedence of the times/dates; other than emergency medical situations.

The Court informs the parties that Mother's "Motion to Strike Petitioner's Separate Pre-Trial Statement" filed September 19, 2011, will abide by the next hearing date.

Matthew J. Weissner and Tasha J. Weissner are sworn.

IT IS ORDERED that Mother shall pay child support for the minor child to Father in the amount of \$365.61 per month, effective October 1, 2011.

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, Mother shall make full and timely payments directly to the Support Payment Clearinghouse.

An electronic Order of Assignment has been initiated by the courtroom clerk.

IT IS FURTHER ORDERED setting Evidentiary Hearing to the Court **on NOVEMBER 29, 2011, at 4:30 p.m.** (30 minutes allowed) in this Division at:

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NORTHEAST REGIONAL COURT CENTER  
18380 N. 40<sup>TH</sup> ST.  
PHOENIX, AZ 85032  
Courtroom 110

IT IS FURTHER ORDERED that both parties are instructed to bring the following items: 2009 and 2010 tax returns (Schedule C); recent six (6) months of bank statements through October 2011 and the most two recent paystub statements. If Father is providing medical insurance for the child; Father is to provide proof of what he is paying for the child's medical insurance.

IT IS FURTHER ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall exchange updated disclosure statements required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to the hearing.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed at least 15 days prior to the hearing.
3. Counsel and both parties shall personally meet, face to face, at least 20 days prior to the hearing to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company or business, medical or health care provider, or employer possessing any relevant and discoverable information.

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least 30 days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and

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every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint Pre-hearing Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days prior to the hearing.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances.
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D) and 91(Q), Arizona Rules of Family Law Procedure, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED that, if either party has more than 10 exhibits to be marked, arrangements shall be made with the Clerk of this Division at least 5 days prior to hearing to schedule a time to deliver said exhibits to the Clerk. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt and child support. To request conclusions of fact and law, you must

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file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure. Should the parties reach a full agreement prior to the date of the hearing, the Court will consider a motion to vacate the hearing **ONLY AFTER A SIGNED STIPULATED AGREEMENT IS PRESENTED TO THE COURT.**

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

2:06 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/S/ GERALD PORTER

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THE HONORABLE GERALD PORTER